

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

EDGAR STARR,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Civil Action No. 4:07CV01073 CDP

ORDER

This matter is before the Court pursuant to Plaintiff Edgar Starr's Motion for Attorney's Fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. In support of Plaintiff's request, Plaintiff submitted an itemized statement of time spent by his attorney in the proceedings before this Court. See Plaintiff's Exhibit 1.


By Order, dated September 24, 2008, this Court remanded this case to Defendant Commissioner for further proceedings, pursuant to sentence four of 42 U.S.C. § 405(g). A claimant seeking judicial review of a final decision denying Social Security disability benefits may recover attorney's fees if he or she receives a "sentence four" remand. See Shalala v. Schaefer, 509 U.S. 292, 295-96 (1993). Because Plaintiff prevailed and is not otherwise precluded from receiving attorney's fees, this Court finds that he is entitled to attorney's fees in the amount of \$2,383.24.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Attorney's Fees is **GRANTED**.

IT IS FURTHER ORDERED that Defendant Commissioner of Social Security pay attorney's fees in the amount of \$2,383.24, and that the award be made payable to Gateway Legal Services, Inc.

Dated this 6th day of January, 2008.


CATHERINE D. PERRY
United States District Judge